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PTO/SB/19 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

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PLANT PATENT APPLICATION TRANSMITTAL

Attorney Docket No.

PH41

First Named Inventor

White

Title

Clematis 'Avalanche'

Express Mail Label No.

EF 147 832 622 45

Only for new nonprovisional applications under 37 CFR 1.53(b)

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

APPLICATION ELEMENTS

See MPEP chapters 600 & 1600 concerning plant patent application contents.

ACCOMPANYING APPLICATION PARTS

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification [Total Pages **7**]
(2 copies required - 37 CFR 1.163(b)
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Latin name of genus and species
 - Variety denomination
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings
 - Detailed Botanical Description
 - Claim (only one (1) permitted MPEP 1605)
 - Abstract of the Disclosure
4. ☒ Color drawing(s) [Total Sheets **3**]
(2 copies required - 37 CFR 1.165(b))
5. Oath or Declaration [Total Pages **2**]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 16 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76.

7. ☐ Assignment Papers (cover sheet & document(s))
 8. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
 9. ☐ English Translation Document (if applicable)
 10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
 11. ☐ Preliminary Amendment
 12. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
 13. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
 14. ☐ Nonpublication Request. Applicant must attach form PTO/SB/35 or its equivalent. See 35 U.S.C. 122(b)(2)(B)(i).
 15. ☐ Other:
- Note: Please state the Latin name and variety denomination of the plant claimed in a separate section of the specification.

16. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76.

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Prior application information. Examiner _____ Group Art Unit. _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code label



or ☐ Correspondence address below

Name

26841

PATENT TRADEMARK OFFICE

Address

City

State

Zip Code

COUNTRY

Telephone

Fax

Name (Print/Type)

Mark P. Bourgeois

Registration No. (Attorney/Agent)

37,782

Signature

Mark P. Bourgeois

Date

8/23/2001

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FEE TRANSMITTAL
for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 245

Complete if Known

Application Number

Filing Date

First Named Inventor

Examiner Name

Group Art Unit

Attorney Docket No.

PH-41

METHOD OF PAYMENT

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
NumberDeposit
Account
Name☐ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17☐ Applicant claims small entity status
See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:**

☒

Check

☐

Credit card

☐Money
Order☐

Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee
Code (\$) Code (\$) Fee Description

101 710 201 355 Utility filing fee

106 320 206 160 Design filing fee

107 490 207 245 Plant filing fee

108 710 208 355 Reissue filing fee

114 150 214 75 Provisional filing fee

Fee Paid

245

SUBTOTAL (1) (\$) 245**2. EXTRA CLAIM FEES**

Total Claims		-20** =		X	Fee from below	=	Fee Paid
Independent Claims		-3** =		X		=	
Multiple Dependent						=	

Large Entity Small Entity

Fee Fee Fee Fee
Code (\$) Code (\$) Fee Description

103 18 203 9 Claims in excess of 20

102 80 202 40 Independent claims in excess of 3

104 270 204 135 Multiple dependent claim, if not paid

109 80 209 40 ** Reissue independent claims
over original patent110 18 210 9 ** Reissue claims in excess of 20
and over original patent**SUBTOTAL (2)**

(\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Fee Fee Fee
Code (\$) Code (\$) Fee Description

105 130 205 65 Surcharge - late filing fee or oath

127 50 227 25 Surcharge - late provisional filing fee or
cover sheet

139 130 139 130 Non-English specification

147 2,520 147 2,520 For filing a request for *ex parte* reexamination112 920* 112 920* Requesting publication of SIR prior to
Examiner action113 1,840* 113 1,840* Requesting publication of SIR after
Examiner action

115 110 215 55 Extension for reply within first month

116 390 216 195 Extension for reply within second month

117 890 217 445 Extension for reply within third month

118 1,390 218 695 Extension for reply within fourth month

128 1,890 228 945 Extension for reply within fifth month

119 310 219 155 Notice of Appeal

120 310 220 155 Filing a brief in support of an appeal

121 270 221 135 Request for oral hearing

138 1,510 138 1,510 Petition to institute a public use proceeding

140 110 240 55 Petition to revive - unavoidable

141 1,240 241 620 Petition to revive - unintentional

142 1,240 242 620 Utility issue fee (or reissue)

143 440 243 220 Design issue fee

144 600 244 300 Plant issue fee

122 130 122 130 Petitions to the Commissioner

123 50 123 50 Petitions related to provisional applications

126 240 126 240 Submission of Information Disclosure Stmt

581 40 581 40 Recording each patent assignment per
property (times number of properties)146 710 246 355 Filing a submission after final rejection
(37 CFR § 1.129(a))149 710 249 355 For each additional invention to be
examined (37 CFR § 1.129(b))

179 710 279 355 Request for Continued Examination (RCE)

169 900 169 900 Request for expedited examination
of a design application

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

0

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

MARK BOUVIGUIS

Registration No.
(Attorney/Agent)

37,782

Telephone

Date

8/23/2001

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